IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 17TH DECEMBER 2007 / 26TH AGRAHAYANA 1929

WP(C).No. 35323 of 2007(E)

PETITIONER:

K.J. ISSAC,
C-7044, FATHIMA MANDIRAM, NEAR RAILWAY STATION,
CHIRAYINKEEZHU.

BY ADV. SRI.R.MANOJ

RESPONDENTS:

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1. THE KERALA STATE ELECTRICITY BOARD,
REP. BY ITS SECRETARY, KERALA STATE ELECTRICITY BOARD, VYDHYUTHI BHAVAN, PATTOM,THIRUVANANTHAPURAM

2. THE CHIEF ENGINEER (HRM),
KERALA STATE ELECTRICITY BOARD, VYDHYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM.

3. THE DEPUTY CHIEF ENGINEER,
ELECTRICAL CIRCLE (URBAN),KERALA STATE ELECTRICITY BOARD, THIRUVANANTHAPURAM.

BY SC SRI. K.S. ANIL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J

W.P.(C). 35323/2007

Dated this the 17th day of December, 2007

JUDGMENT

Petitioner was compulsorily retired from the service of the Electricity Board with effect from 30.6.1999. Aggrieved by the delay in the disbursal of retirement benefits due to him, petitioner had approached this Court earlier in W.P.(C).6111/2005 which was disposed of directing the respondents to consider his claim in accordance with law. By Ext.P1, pension and gratuity was sanctioned in favour of the petitioner. At the same time, commutation of family pension was not sanctioned. Petitioner submitted Ext.P2, aggrieved by the non sanctioning of commutation of pension and certain other benefits. By Ext.P3, petitioner was directed to apply for commutation of pension after sanction from the Medical Board.

2. It is obvious that the petitioner's request is pending consideration. In my view, there is nothing illegal about the requirement of a sanction from the Medical Board in

the matter of commutation of pension. Therefore, petitioner shall subject himself for medical examination and produce a certificate from the Medical Board. This shall be done within a period of six weeks from the date of receipt of a coy of this judgment and thereupon, petitioner's request of commutation of pension shall be considered and appropriate orders be passed within two months thereafter. Claim made by the petitioner for other benefits, under Ext.P2 shall also be looked into and appropriate decision be taken by the first respondent within the same period.

With the above observations, writ petition is disposed of.

V.GIRI,
Judge

mrcs